

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.894 of 2019

***The Divisional Manager, Oriental
Insurance Company Ltd.***

....

Appellant

Mr. Mohan Chandra Nayak, Advocate

-versus-

Smt. Durgabati Nayak and Others

....

Respondents

Mr. P.K. Behera, counsel for Respondents 1&2

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

22.02.2022

Order No.

03. 1. Heard Mr. M.C. Nayak, learned counsel for the insurer – Appellant and Mr. P.K. Behera, learned counsel for the claimant - Respondents.
2. Present appeal by the insurer is against the impugned judgment dated 9th September, 2019 of the learned 1st MACT, Baripada in MAC No.49 of 2017 wherein compensation to the tune of Rs.15,70,120/- along with interest @ 7% per annum from the date of filing of the claim application, i.e. 28th June, 2017 has been granted on account of death of the deceased in the motor vehicular accident dated 6th April, 2016.
3. In course of hearing it is submitted that both parties have agreed for a reduced compensation of Rs.14,50,000/- along with interest @ 6%.

4. Accordingly the compensation amount is reduced to Rs.14,50,000/- and the Appellant – insurer is directed to deposit the said amount before the learned tribunal along with interest @ 6% per annum from the date of filing of the claim application, i.e. 28th June, 2017 within a period of two months from today; where-after the same shall be disbursed in favour of the claimant – Respondent Nos.1 and 2 on such terms and proportion as contained in the impugned judgment of the Tribunal.

5. The statutory deposit made by the appellant before this court along with accrued interest be refunded to the Appellant - insurer on proper application and on production of proof of deposit of the awarded amount before the tribunal.

6. The appeal is disposed of.

7. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge